

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Tracie Mills,
Plaintiff,

vs.

KPH Consolidation, Inc., d/b/a
Kingwood Medical Center,
Defendant

§ CIVIL ACTION NO. 4:12-cv-2273
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§ A JURY IS DEMANDED

Order

Before the Court is the Plaintiff's Application for a Temporary Restraining Order. The Court has considered the plaintiff's arguments, the defendant's response in opposition, and the legal authorities. Because the defendant had notice of this hearing, the Court considers the request as one for a preliminary injunction.

The Court finds that the plaintiff has established a substantial likelihood of success on the merits, a substantial threat that she will suffer irreparable harm if the sought-after temporary restraining order is not granted, that the threatened injury outweighs any damage that the temporary restraining order might cause the defendant, and that the temporary restraining order will not disserve the public interest.

Accordingly, the Court GRANTS the application and ORDERS as follows:

The defendant is ordered to reinstate the plaintiff to her prior position of employment effective September 4, 2012 so she will become eligible for and receive employer-provided health insurance coverage at the same level as she previously maintained as an employee. Plaintiff shall be responsible for the applicable employee portion of the insurance premium at the same rate as previously set during her employment.

This insurance coverage is necessary for all the reasons discussed at the hearing so that the Plaintiff may obtain medical treatment. Because this order is being issued after notice to the defendant, it shall remain in effect until further order of the Court and will be revisited at the November 5th summary judgment hearing or prior to the expiration of twelve weeks.

Signed this 5th day of September 2012.



U.S. District Court Judge for the
Southern District of Texas